

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CAROL JARVIS,)
)
 Plaintiff,) No. 05cv30088-MAP
)
 v.)
)
 UNITED STATES OF AMERICA,)
)
 Defendant.)

JOINT PRETRIAL STATEMENT

The parties, by their respective counsel, file the following joint statement in accordance with the Notice of Scheduling Conference. This case is brought under the Federal Tort Claims Act. The plaintiff alleges that she was injured as the result of an automobile accident negligently caused by an agent or employee of the defendant on April 17, 2002. The defendant has denied liability.

I. Joint Discovery Plan

- A. Initial disclosures to be made by December 5, 2005.
- B. Service of written discovery to be made by January 13, 2006.
- C. Fact Depositions to be completed by April 21, 2006.
- D. Final Pretrial Conference to be held on or after April 24, 2006, at which time the parties request that matters concerning expert discovery be addressed.

II. Schedule for filing motions

Dispositive motions to be filed by May 22, 2006.

III. Settlement

The plaintiff submitted a demand for settlement to the U.S. Navy during the course of the administrative process. The case in its current posture, however, is not ripe for settlement discussions. The defendant has not yet received sufficient medical documentation to assess the causation, nature and severity of the plaintiff's alleged injuries. Further, the

plaintiff presently is attempting to obtain from certain providers additional medical information that may be relevant to this case.

IV. Certifications

The parties each will submit their certifications separately.

THE PLAINTIFF,

By:

Stuart E. Weitz
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(413) 785-1597

Respectfully submitted,

THE DEFENDANT

By:


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Thomas J. O'Connor, Jr.
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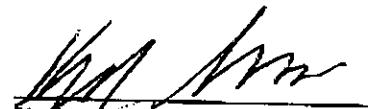
Dated: November 15, 2005

Dated: 11/15/2005

CERTIFICATION UNDER LOCAL RULE 16.1(D)(3)

This is to certify that the undersigned Assistant U.S. Attorney has conferred with the United States Navy, through Attorney Kyle Guess, Office of the Judge Advocate General, Tort Claims Unit, 9620 Maryland Avenue, Norfolk, VA 23511-2989 with respect to (1) a budget for the costs of litigating the case; and (2) the possibility of using alternative dispute resolution programs.


Thomas J. O'Connor, Jr.
Assistant U.S. Attorney


Kyle A. Guess, Esq.
Attorney, U.S. Navy